FLOM, LLP One Rodney Square PO Box 636 Richmond, Virginia 23219 Wilmington, Delaware 19899-0636 (804) 775-1000 (302) 651-3000

Gregg M. Galardi, Esq. Dion W. Hayes (VSB No. 34304)

Ian S. Fredericks, Esq. Douglas M. Foley (VSB No. 34364)

SKADDEN, ARPS, SLATE, MEAGHER & MCGUIREWOODS LLP One James Center 901 E. Cary Street

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re:

Chapter 11

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

<u>et</u> <u>al</u>.,

Debtors. : Jointly Administered

- - - - - - - - x

## SUPPLEMENTAL ORDER ON DEBTORS' EIGHTH OMNIBUS OBJECTION TO CERTAIN LATE CLAIMS

THIS MATTER having come before the Court on the Debtors' Eighth Omnibus Objection to Certain Late Claims (the "Objection"), and it appearing that due and proper notice and service of the Objection has been given in compliance with Fed. R. Bankr. P. 3007 and 7004 and LBR 3007-1 and was good and sufficient and that no other further notice or service of the Objection need be given; and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties in interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

### IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. Notwithstanding the Order on Debtors' Eighth
  Omnibus Objection to Certain Late Claims entered on July 20,
  2009 (Docket No. 4170), the Objection to the claims
  identified on Exhibit A as attached hereto and incorporated
  herein, is withdrawn; provided, however, that the Debtors'
  rights to object to the claim(s) identified on Exhibit A on
  any grounds that applicable law permits (other than on the
  ground that such claim(s) were not filed by the applicable
  bar date) are not waived and are expressly reserved.
- 2. Notwithstanding the Order on Debtors' Eighth
  Omnibus Objection to Certain Late Claims entered on July 20,
  2009 (Docket No. 4170), the claims identified on Exhibit B
  as attached hereto and incorporated herein, are forever
  disallowed in their entirety for all purposes in these
  bankruptcy cases.

- 3. With the exception of the claim(s) identified on Exhibit A on the grounds that such claim(s) were not filed
  by the applicable bar date, the Debtors' rights to object to any claim, including (without limitation) the claims included in the Objection, on any grounds that applicable law permits are not waived and are expressly reserved.
- 4. To the extent that this Order conflicts with the Order on Debtors' Eighth Omnibus Objection to Certain Late Claims entered on July 20, 2009 (Docket No. 4170), this Order shall control.
- 5. The Debtors shall serve a copy of this Order on the claimants included on <a href="Exhibits A and B">Exhibits A and B</a> to this Order on or before five (5) business days from the entry of this Order.
- 6. This Court shall retain jurisdiction with respect to all matters arising from or related to this Order.

Dated: Richmond, Virginia
December \_\_\_\_, 2009
Dec 16 2009

/s/ Kevin Huennekens

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Dec 17 2009

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

- and -

\_/s/ Douglas M. Foley Dion W. Hayes (VSB No. 34304) Douglas M. Foley (VSB No. 34364) MCGUIREWOODS LLP One James Center 901 E. Cary Street Richmond, Virginia 23219 (804) 775-1000

Counsel to the Debtors and Debtors in Possession

#### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

Case 08-35653-KRH Doc 6138 Filed 12/19/09 Entered 12/20/09 00:35:12 Desc In re: Circuit City Stores, Inc, et an aged Certificate of Service Page 5 of Tebtors' Eighth Omnibus Objection to Claims Supplemental Order On Late Claims - Withdrawn

### **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
WASTE MANAGEMENT C O JACQUOLYN E MILLS 1001 FANNIN STE 4000 HOUSTON, TX 77002-0000	10927	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$27,545.97 \$27,545.97	02/04/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 1 \$27,545.97

Case 08-35653-KRH Doc 6138 Filed 12/19/09 In re: Circuit City Stores, Inc, el Maged Certificate of Service Case No. 08-35653-KRH

Entered 12/20/09 00:35:12 Desc Page 6 of Pebtors' Eighth Omnibus Objection to Claims Supplemental Order On Late Claims To Be Disallowed -

Ordered

### **EXHIBIT B**

CREDITOR'S NAME AND ADDRESS	CLAIM	ASSERTED		DATE	DOCKETED
	NUMBER	CLAIM AMOUNT *		FILED	DEBTOR
WASTE MANAGEMENT C O JACQUOLYN E MILLS 1001 FANNIN STE 4000 HOUSTON, TX 77002-0000	11268	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$27,545.97 \$27,545.97	02/09/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 1 \$27,545.97

# Case 08-35653-KRH Doc 6138 Filed 12/19/09 Entered 12/20/09 00:35:12 Desc CERTIFICATE OF NOTICE

District/off: 0422-7 User: frenchs Page 1 of 1

Case: 08-35653 Form ID: pdforder

NONE.

Page 1 of 1 Date Rcvd: Dec 17, 2009 Total Noticed: 1

The following entities were noticed by electronic transmission.  $_{\mbox{\scriptsize NOME}}$ 

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0

Addresses marked  $^{\prime +\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 19, 2009 Signa

Joseph Speetjins